

Serial No. 09/842,089
Amdt. Dated October 27, 2004
Reply to Office Action of July 27, 2004

Docket No. P-0221

REMARKS/ARGUMENTS

Claims 1, 3-8, 10-11, and 13-17 are pending in this application. By this Amendment, claims 1, 7-8, and 10-11 are amended, and claims 2, 9, 12, and 18-19 are cancelled without prejudice or disclaimer. Allowance in view of the above amendments and the following remarks is respectfully requested.

Entry of the amended claims is proper under 37 C.F.R. §1.116 since the amendments: (1) place the application in condition for allowance for the reasons discussed herein; (2) do not raise any new issues requiring further search and/or consideration since the amendments amplify issues previously discussed throughout prosecution without incorporating additional subject matter; (3) satisfy a requirement of form asserted in the previous Office Action; and/or (4) place the application in better form for appeal, if necessary. Entry is thus requested.

The Examiner is thanked for the indication that claims 9 and 12 would be allowable if rewritten in independent form, including all of the limitations of the base claim and any intervening claims. The subject matter of allowable claim 9, as well as intervening claim 2, has been incorporated into independent claim 1. Accordingly, independent claim 1, as well as claims 3-8 and 10, which depend therefrom should be in condition for allowance. Further, the allowable subject matter of claim 12 has been incorporated into independent claim 11. Thus, independent claim 11, as well as claims 13-17, which depend therefrom, should be in condition for allowance.

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The Office Action rejects claims 1-8, 10-11, and 13-19 under 35 U.S.C. § 103(a) as being unpatentable over Bril, U.S. Patent No. 5,946,051 (hereinafter “Bril”) in view of Suga et al., U.S. Patent No. 6,215,467 (hereinafter “Suga”). Claims 2 and 18-19 are cancelled. The rejection, in so far as it applies to remaining claims 1, 3-8, 10-11, and 13-17, is respectfully traversed.

As set forth above, the allowable subject matter of claims 9 and 12 has been incorporated into independent claims 1 and 11, respectively. Accordingly, it is respectfully submitted that independent claims 1 and 11 are allowable over Bril and Suga, and thus the rejection of independent claims 1 and 11 under 35 U.S.C. § 103(a) over Bril in view of Suga should be withdrawn. Dependent claims 3-8, 10, and 13-17 are allowable at least for the reasons discussed with respect to independent claims 1 and 11, from which the respectively depend, as well as for their added features.

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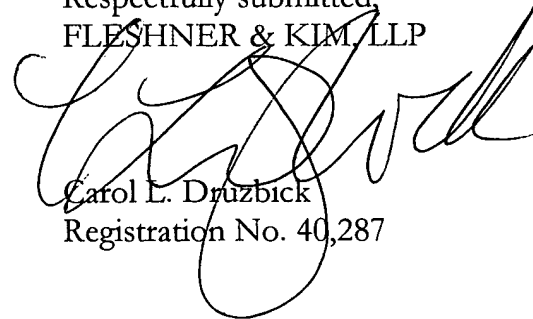
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CONCLUSION

In view of the foregoing amendments and remarks, it is respectfully submitted that the application is in condition for allowance. If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned attorney, **Carol L. Druzbeck**, at the telephone number listed below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,
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